

UNITED STATES DISTRICT COURT

for

**EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION**

U.S.A. vs. Phillip Keen Bond

Docket No. 7:02-CR-95-1F

Petition for Action on Supervised Release

COMES NOW Pamela O. Thornton, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Phillip Keen Bond, who, upon an earlier plea of guilty to Bank Robbery, in violation of 18 U.S.C. §2113 (a) was sentenced by the Honorable James C. Fox, Senior U.S. District Judge, on February 18, 2003, to the custody of the Bureau of Prisons for a term of 105 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 36 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.
3. The defendant shall cooperate in the collection of DNA as directed by the probation officer.
4. The defendant shall pay a special assessment of \$100 and a fine of \$4900.

Phillip Keen Bond was released from custody on September 3, 2010, at which time the term of supervised release commenced.

On December 15, 2010, the court was apprised the releasee had used marijuana. The court agreed to hold the violation in abeyance and allow the releasee to participate in substance abuse treatment.

On April 18, 2011, the court modified the releasee's conditions to include 2 days in jail as a sanction for using marijuana on January 20, 2011. The releasee completed the jail sanction on June 12, 2011.

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On March 26, 2012, the court was apprised the releasee had used Amphetamine Salts without a prescription. The releasee subsequently obtained a prescription from his doctor for the medication. No action was taken by the court.

On November 29, 2012, the court was apprised the releasee had used marijuana on November 14, 2012. The releasee admitted to using marijuana because he was stressed and sick from detoxifying off methadone. The court modified the releasee's conditions to include a mental health condition so the releasee could get assistance for his mental health problems. The releasee's substance abuse treatment was also intensified.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

Since January 20, 2012, the releasee has been living with his girlfriend and her family because he had no other place to live. He has struggled to find steady employment and has not worked a regular job in months. Since November, he has failed to report for appointments as instructed by his probation officer and has failed to submit urine screens as designated via the surprise urinalysis program. Further, he has failed to make regular monthly payments towards his restitution obligation.

After being admonished for his non-compliant behavior, he reported to the probation office today and submitted a urine specimen which revealed positive results for marijuana and amphetamine. He gave a written statement that he smoked marijuana to help him sleep and the amphetamine was from an old prescription he had for the medication, Aderall. The specimen was sealed and mailed to Alere Toxicology for confirmation. Upon questioning, the releasee further admitted to the probation officer that he was struggling with depression and other mental health problems and needed help. He also stated he needed to find his own residence because there were problems at his girlfriend's house.

This officer believes the releasee would benefit from a structured environment that could also assist him with obtaining employment. It was recommended by the probation officer and the releasee agreed to reside in a residential reentry center for 120 days. It is noted the court modified the releasee's conditions to include a mental health condition on December 3, 2012, and the releasee has been referred for a mental health evaluation and treatment.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

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PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

The defendant shall undergo placement in a residential reentry center for a period of 120 days as arranged by the probation office and shall abide by the conditions of that program during said placement.

Except as herein modified, the judgment shall remain in full force and effect.

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Pamela O. Thornton
Pamela O. Thornton
Senior U.S. Probation Officer
2 Princess Street, Suite 308
Wilmington, NC 28401-3958
Phone: 910-815-4857
Executed On: December 21, 2012

ORDER OF COURT

Considered and ordered this 26th day of December, 2012, and ordered filed and made a part of the records in the above case.

James C. Fox
James C. Fox
Senior U.S. District Judge